

Date: Tue, 29 Mar 94 04:30:08 PST
From: Ham-Policy Mailing List and Newsgroup <ham-policy@ucsd.edu>
Errors-To: Ham-Policy-Errors@UCSD.Edu
Reply-To: Ham-Policy@UCSD.Edu
Precedence: Bulk
Subject: Ham-Policy Digest V94 #153
To: Ham-Policy

Ham-Policy Digest Tue, 29 Mar 94 Volume 94 : Issue 153

Today's Topics:

 Any legal recourse?
 Coord. priority for open repeaters
 Scanner laws in Northern VA?

Send Replies or notes for publication to: <Ham-Policy@UCSD.Edu>
Send subscription requests to: <Ham-Policy-REQUEST@UCSD.Edu>
Problems you can't solve otherwise to brian@ucsd.edu.

Archives of past issues of the Ham-Policy Digest are available
(by FTP only) from UCSD.Edu in directory "mailarchives/ham-policy".

We trust that readers are intelligent enough to realize that all text
herein consists of personal comments and does not represent the official
policies or positions of any party. Your mileage may vary. So there.

Date: 27 Mar 1994 19:17:14 GMT
From: ihnp4.ucsd.edu!pacbell.com!sgiblab!swrinde!emory!news-feed-2.peachnet.edu!
hobbes.cc.uga.edu!news.uga.edu!jgifford@network.ucsd.edu
Subject: Any legal recourse?
To: ham-policy@ucsd.edu

We have a small problem here regarding a 2-meter repeater. Here is
the story:

A few years ago, there was a repeater on 147.045+ owned by and
coordinated to N4NFA, Ed Parker. This was in Watkinsville, GA. He
moved, but agreed to let another ham have his frequency pair. Jeff
Crowell, KD4AOZ. This is still in Watkinsville, and IS coordinated
with all the appropriate people. However, WA4LMO, Sherill Fore, in
Jonesboro, GA (60 miles SE) decided that he would put up a repeater on
147.050+. It is not coordinated at all. When contacted by Jeff, Mr.
Fore as much as said that friends of Mr Parker had first dibs on the
pair, and that someone with a KDXXX call didn't deserve to have a
repeater on 2-meters anyway. The folks that use Mr. Fore's repeater
have to run a lot of power to get into his crappy repeater(very poor

machine), and consistently kerchunk Jeff's repeater. After getting very annoyed, and getting no action from the coordinators, the FCC, or ARRL, Jeff has ordered a new repeater. He is currently operating a 12watt repeater, but the new one will have 123Hz PL tone encode/decode, and almost 40 watts. The uncoordinated repeater and it's users will most likely not be happy with this, but what else could Jeff have done? Jeff has two repeaters and a digipeater on the same tower, and they do not interfere with each other (147.045+, 444.725+ and 145.77 GARDS/SEDAN X-1J node). We have tried to do everything within our power, and this is the only solution we could find.

If there is anything we can do, please let me know, as Jeff doesn't have e-mail.

Also, does anyone know if there is an on-line electronic copy of the FCC rules and regs?

Thanks,
73's de Jim Gifford KD4PPG

Date: Sun, 27 Mar 94 04:40:14 EST
From: ihnp4.ucsd.edu!ucsnews!sol.ctr.columbia.edu!math.ohio-state.edu!
magnus.acs.ohio-state.edu!usenet.ins.cwru.edu!wariat.org!mystis!
dan@network.ucsd.edu
Subject: Coord. priority for open repeaters
To: ham-policy@ucsd.edu

jmaynard@nyx10.cs.du.edu (Jay Maynard) writes:

>In article <2n0e8l\$sd@dancer.cc.bellcore.com>,
>sohl,william h <whs70@dancer.cc.bellcore.com> wrote:

[snip]

>>this is conjecture and academic discussion. Frankly, I believe
>>closed repeaters are wholly against the spirit and intent of amateur
>>radio in general. Your mileage may vary...

>

>The FCC obviously and explicitly disagrees. See 97.205(e).

And has disagreed as far back as I can remember. You have to realize that the repeater trustee is responsible for the operation of the station (the repeater). Thus, the trustee must have total control over that station. (As with ANY amateur station.) And no, you are not a control operator of the repeater just by transmitting on the input. You are the control

operator ON THE INPUT ONLY. The repeater Licensee and his(her) designated Control Operators are responsible for the OUTPUT transmitter (the repeater). Thus a NOVICE on 220, linked to a 2-Meter machine, is NOT the control operator on the 2-Meter repeater.

And according to the FCC, ALL repeaters are 'closed' as the repeater trustees decide who may use the repeater. You may not like it, but that does not make it against the 'spirit and intent' of the service. In fact that IS the spirit of amateur radio at least since the inception of repeaters. (Dispite anyones opinion.)

Dan N8PKV

--

"No free man shall ever be de-barred the use of arms. The strongest reason for the people to retain their right to keep and bear arms is as a last resort to protect themselves against tyranny in government."

-Thomas Jefferson

-Thomas Jefferson

--

"No free man shall ever be de-barred the use of arms. The strongest reason for the people to retain their right to keep and bear arms is as a last resort to protect themselves against tyranny in government."

-Thomas Jefferson

Date: 28 Mar 94 19:27:28 GMT

From: ncrw2.ncr.com!ncrhub2!tdbunews!nsc32!wps@uunet.uu.net

Subject: Scanner laws in Northern VA?

To: ham-policy@ucsd.edu

In article 240394140524@jernandez.pbs.org, jernandez@pbs.org (John J. Ernandez) writes:

-->

--> Excuse the interruption. There is a law against carrying scanners in
-->Northern VA (and I am sure other states like NJ) unless you have a permit.
-->These permits are issued to volunteer rescue workers primarily. My question
-->is, "Are licensed Amateur radio operators excused from getting the permit?"
-->Thank you in advance.

-->

-->John J. Ernandez

Your question was posted here back in Sept 93. The post went into the scanner laws an PR Docket 91-36. This information can be found in "The ARRL Letter" Vol 12, #17 dated September 14, 1993.

"Southern" I assume...

>I score 3 too, but a diferent three.

^^^^^^^^

"Different"?

>Same here, what's your point? Not everyone can do it, not everyone needs to

>nonetheless let's not be putting limits on what we can do for our fellows.

>It's not about how suffesful you are, or what you accomplished, it's about

^^^^^^^^

Date: (null)

From: (null)

>Use your success to leverage everyone elses.

^^^^

No such word exists in English...maybe you want an apostrophe (or however it is spelled).

>And this also remains; the code is an uncessary and unreasonable requirement

>for qualification in the amateur radio service.

"Uncessary"? What kind of word is that?

You might have a point buried somewhere in you post, but pointing out others' mistakes is not helping it any, especially when you make as many, or more, mistakes of the kind.

--

Will Turner, N0RDV

wjturner@iastate.edu

| "Are you going to have any professionalism, |

twp77@isuvax.iastate.edu | or am I going to have to beat it into you?" |

TURNERW@vaxld.ameslab.gov

Date: Sat, 26 Mar 1994 21:03:10 GMT

From: pacbell.com!sgiblab!sdd.hp.com!vixen.cso.uiuc.edu!howland.reston.ans.net!

gatech!news-feed-2.peachnet.edu!concert!hearst.acc.Virginia.EDU!murdoch!

Hopper.itc.Virginia.EDU!jeg7e@@ihnp4.ucsd.edu

To: ham-policy@ucsd.edu

References <Cn1Jys.28z@news.hawaii.edu>, <Cn2Is7.LMG@murdoch.acc.Virginia.EDU>, <Cn8wDy.BMA@news.hawaii.edu>.e

Subject : Re: Rich has flipped out (was: Morse Whiners)

In article <Cn8wDy.BMA@news.hawaii.edu>,

Jeffrey Herman <jherman@uhunix3.uhcc.Hawaii.Edu> wrote:

>In article <Cn2Is7.LMG@murdoch.acc.Virginia.EDU> jeg7e@Hopper.itc.Virginia.EDU
(Jon Gefaell) writes:

>>

>>You're such a beaurgeois pig. Your perspective is so shallow, your own
>>ease of life blinds you from those who really do need to work hard.

>

>Joan (oops I mean Jon): You know nothing of my life and what I've had to

Let's start with your fear(loathing) of women. You lead with a gender
inversion intended to denigrate me. Do you somehow feel that there is
something inferior about the feminine gender(s)?? You really may want
to consider getting over it by now.

>undertake to get where I'm at. Out of high school I immediately went

I never had the advantage of high school, but I can certainly spell it.
(more on *my* background in a bit)

>to work as a fireman and took classes at a community college - couldn't
>afford the tuition at a university. At the tail end of the Viet Nam war
>I enlisted in the military (which is how I got to Hawaii). Only after
>that was I able to pay my way to a university (a freshman at age 26),
>as long as I continued to work part time (military reserve and lifeguard).
>I took no handouts (i.e. scholarships) - I completely paid my own way
>through the B.S. and M.A. and even now I am paying my own way while
>working on the doctorate, by taking on a very heavy teaching load
>here and at the community colleges. I picked myself up from nothing.

I was born to a woman who suffered extreme anxiety/stress related disorders &
schizophrenia. I was raised by the state of California and lived in around 50
different places ranging from 'group homes' to (more often) various ranches and
large institutional facilities (prisons for kids)

The last grade I was ever enrolled in a conventional educational program was
the 5th. Whether due to my 'attention deficit disorders' or my dyslexia :) I
was considered to be unteachable.

When I was 16 I gathered up what belongings I could in a backpack and set off
to be a 'hobo' for about 5 years. I hitchhiked and worked my way all over the
north american continent. Mazatlan, Key West, Alaska. An Amazing was to live.

Then I got tired of that, ended up back in southern california. Did various
jobs, managed a Pizza Parlour for a year, was severely underpaid and over
worked. Drugs made life passable.

>And I used no social programs (free money for those too lazy to work)
>to get here.

When I lived on the streets I tried to get some assistance in terms of a place to live and/or some food stamps or something. I could have used the 'free money' at the time. I had no verifiable address, so I didn't qualify.

>My own ease of life? Have you ever lived out of a car? I have.

Yes, once for 6 months.

>>Education is denied so many people, and so many of them work so hard, but
>>I suppose in your world view they either don't exist, or are somehow other-
>>wise not worthy of the benefits you enjoy, huh?

>

>Education is denied to no one. If you show a need, tuition will be
>waived and scholarships/loans will drop in your lap at the community
>colleges here in Hawaii. Courses are offered at night and weekends
>for those having to hold down a day job. And I don't believe that
>this state is unique in this regard. All it takes is effort -
>a willingness to get off one's butt and put in extra hours in the
>books rather than staring at a TV for 5 hours every night.

I eventually got a job as a part time weekend computer operator, I put tremendous energy and god given aptitude to work and succeeded. I worked for everything I have, but I'm sure with the kindness and assistance of people here and there I was helped out on my way.

>>If you're a white, male, heterosexual, wealthy (relative to world realities)

>

>The first 3 are correct. Wealthy? I go to work on a bicycle - had to sell
>the car because tuition went up.

I score 3 too, but a different three.

You live in a reasonable domicile, you have certain luxuries unknown or unheard of in many parts of the world. You're wealthy. you've GOT a bicycle.

>>then it's easy to clamor about the qualities of life as a 'individual' but
>>if you had to start out life with the same disadvantages and obstacles you
>>might see things from a more social(ist) perspective.

>

>I started with nothing. I took no handouts. But I found a way to pick
>myself up.

Same here, what's your point? Not everyone can do it, not everyone needs to nonetheless let's not be putting limits on what we can do for our fellows. It's not about how successful you are, or what you accomplished, it's about making the world better, in whatever way.

Use your success to leverage everyone elses.

>huh? Anyway, the moral of the story hasn't changed: study the code and don't
>memorize the question pool.

And this also remains; the code is an unnecessary and unreasonable requirement
for qualification in the amateur radio service.

>Vietnamese Proverb: If you study you will become what you wish
> If you do not study you will never become anything.

Amen.

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Any opinions expressed herein are not necessarily those of The University.

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-----  
 \ \ /  Jon Gefaell, Computer Systems Engineer   |  Amateur Radio, KD4CQY  
  \ \ /  A UNIX guy doing Netware - ITC/Carruthers |  -Will chmod for Food-  
   \ \ /  The University of Virginia, Charlottesville |  Hacker@Virginia.EDU  
-----  
<a href="http://Hopper.ITC.Virginia.EDU/~jeg7e/">Jon Gefaell's Home Page</a>
```

Date: 28 Mar 94 22:50:48 GMT
From: yale.edu!noc.near.net!news.delphi.com!usenet@yale.arpa
To: ham-policy@ucsd.edu

References <mp3fntINNk13@news.bbn.com>, <5i5Np6h.edellers@delphi.com>,
<032894004205Rnf0.77b8@amcomp.com>
Subject : Re: Coord. priority for open repeaters

Dan Pickersgill <dan@amcomp.com> writes:

>>So if I monitored the INPUTS of closed repeaters, measured their PLs with a
>>counter, then proceeded to work through those machines, I'm legal as long as
>>I don't cause interference?
>
>No, you would be in violation of Part 97.

What rule in particular? Remember that all *I* am doing in these cases is
transmitting a signal.

Date: Mon, 28 Mar 1994 18:02:08 GMT
From: ihnp4.ucsd.edu!news.acns.nwu.edu!math.ohio-state.edu!sdd.hp.com!sgiblab!
pacbell.com!att-out!walter!dancer.cc.bellcore.com!not-for-mail@network.ucsd.edu

To: ham-policy@ucsd.edu

References <1994Mar25.045650.1416@mnemosyne.cs.du.edu>,
<2n0e8l\$sd@dancer.cc.bellcore.com>, <1994Mar27.032737.3961@mnemosyne.cs.du.edu>
Subject : Re: Coord. priority for open repeaters

In article <1994Mar27.032737.3961@mnemosyne.cs.du.edu>,
Jay Maynard <jmaynard@nyx10.cs.du.edu> wrote:
>In article <2n0e8l\$sd@dancer.cc.bellcore.com>,
>sohl,william h <whs70@dancer.cc.bellcore.com> wrote:
>> As to
>>using another's amateur station, that's really a myth. If you place
>>NO locks on the door, then anyone can incidently cause the repeater to
>>operate which is exactly what the repeater was put on the air for.
>
>Sorry. You're saying that I can walk into an unlocked store and take anything
>off the shelves I want without paying for it.

Physical appropriation (i.e. theft) is not at all the example. If
Radio Shack has a demo set up to which anyone can dial in via a modem
and trial something, then they can not invoke a "we don't want you
to use this because you're not wanted here."

>It's exactly the point: You can't walk into my shack and use my radio without
>my permission. Why should my station on a tower be any different?

Because no one is "trespassing" and you've left the access open via
anyone's RF signal causing your repeater to operate.

Here's another example... you install a motion detector to operate a set
of driveway lights. The area of motion detection includes property that
you do not own. Some kids in the neighborhood keep the light on by
activating it via their movement in the area that isn't your property.
What, if any, power do you think you have to force them not to do that?

Standard Disclaimer- Any opinions, etc. are mine and NOT my employer's.

Bill Sohl (K2UNK) BELLCORE (Bell Communications Research, Inc.)
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End of Ham-Policy Digest V94 #153

